



# Michigan State AFL-CIO

419 Washington Square South, Suite 200 • Lansing, Michigan 48933-2138

KARLA SWIFT, *President*

DARYL NEWMAN, *Secretary-Treasurer*

October 17, 2012

To: Members of Senate Reforms, Restructuring and Reinvention Committee  
From: Mike Keller, Michigan State AFL-CIO  
Re: Senate Bills 1335 and 1336

Senate Bills 1335 and 1336, along with tie barred House Bills 5917 and 5922, propose changes to the Michigan Occupational Safety and Health Act that would eliminate MIOSHA Safety Commissions and associated Advisory Boards. SB 1335 also establishes a "clear and convincing" threshold for rules that are deemed more stringent than federal standards.

The replacement process described in the bills permits the LARA Director to assemble an adhoc committee, if desired, to make recommendations for promulgation or change of regulations. While we appreciate the intention to create operational efficiencies, we believe this is a short-sighted measure that will result in a halt of continuous improvement activities aimed at finding better solutions to safety problems. Ultimately, this could increase the risk of experiencing preventable accidents.

The new burden of proof, "clear and convincing," is a higher, more difficult bar to reach. When it comes to worker safety you should err on the side of safety, not the other way around.

Some of the problems we see with these bills:

- Takes an already over-burdened department and adds additional tasks. Commissions provide the department with real "on the ground" information and recommendations. Without these commissions, department staff will have to find ways to get this information.
- Eliminates a forum for regular discourse on health and safety in the state.
  - The Safety Commissions and Advisory Boards provide an ongoing focus and discussion on health and safety in Michigan.
  - The Commissions have institutional knowledge. They provide continuity – knowing what has been tried or discussed. What has worked – what hasn't
  - The Boards' discussions are about personal protective equipment, firefighter equipment, hazard assessments, chemical exposure, and many other topics.
  - These Safety Commissions and Advisory Boards' focus is on accidents and incidents and the best way to prevent them; they have discussions about different approaches to improve regulations to be more effective and less burdensome.
  - They are also about ways to design-in safety so regulations are not necessary.

(over)

- Adhoc committees will only provide a narrow opportunity to have discussion with those who really work with regulations.
  - Adhoc committees are temporary and the appropriate people may not be involved. We have been -- in worker health and safety for many years and believe we bring valuable information to the table. We are an advocate for our members' safety needs and do not want to lose our input into these matters.
  - Adhoc committees may be difficult to staff with consistency since it is an "on and off" process.
  - In a worse case scenario, it could result in imbalanced committees based on political needs.
- The "clear and convincing" requirement could allow a potentially unsafe substance or practice into a workplace until it is proven to be unsafe. This is another reason Advisory Boards are so valuable because they are the eyes and ears in the workplace and can communicate these potential hazards to MIOSHA.

The Michigan State AFL-CIO opposes these bills for these reasons, and is willing to work with the department to find alternate solutions. One alternative could be to reduce the number of commissions to one, keeping advisory groups intact to continue a liaison with employers and employees. This could help streamline the process, but still allow for a standing commission to keep a focus on worker safety. I have included documentation regarding current Safety Commissions and Advisory Boards. Please contact me to discuss this further.

Enclosures: Samples

1. MIOSHA Advisory Committees and Public Hearings Schedule
2. Construction Safety Standards Commission Mission Statement and Members
3. Gen. Industries Safety Standards Commission Mission Statement and Members
4. Occupational Health Standards Commission Member Profiles
5. Sample - MIOSHA Minutes (past committee meetings)

<b>GI Part 74 Fire Fighting Advisory Committee</b> (Agenda) (Meeting Minutes)	07/11/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Agenda) (Meeting Minutes)	08/25/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Agenda) (Meeting Minutes)	09/22/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Agenda) (Meeting Minutes)	10/24/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Agenda) (Meeting Minutes)	12/14/11	9:00 am	MIOSHA Management & Technical Services Division Laboratory, 7707 Rickle Street, Lansing
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Meeting Minutes)	1/20/2012	9:00 AM	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Meeting Minutes)	2/23/2012	9:00 AM	MIOSHA Management & Technical Services Division Laboratory, 7707 Rickle Street, Lansing
<b>GI Part 74 Fire Fighting Advisory Committee</b> (Meeting Minutes)	3/6/2012	9:00 AM	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>OH Part 301/OH Part 601 Air Contaminants Advisory Committee</b> (Meeting Minutes)	01/14/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room A)
<b>OH Part 301/OH Part 601 Air Contaminants Advisory Committee</b> (Meeting Minutes)	03/18/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room A)
<b>OH Part 301/OH Part 601 Air Contaminants Advisory Committee</b> (Meeting Minutes)	4/27/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room A)
<b>OH Part 301/OH Part 601 Air Contaminants Advisory Committee</b> (Meeting Minutes)	5/26/11	1:30 pm	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>CS Part 32/GI Part 58 Aerial Work Platforms Advisory Committee</b> (Meeting Minutes)	01/27/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>CS Part 22 Signals, Signs, Tags &amp; Barricades Advisory Committee</b> (Meeting Minutes)	2/23/2011	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
<b>CS Part 22 Signals, Signs, Tags &amp; Barricades Advisory Committee</b>	8/10/2011		CANCELLED
<b>CS Part 22 Signals, Signs, Tags &amp; Barricades Advisory Committee</b> (Meeting Minutes)	9/20/2011	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>CS Part 22 Signals, Signs, Tags &amp; Barricades Advisory Committee</b> (Meeting Minutes)	#####	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
<b>CS Part 22 Signals, Signs, Tags &amp; Barricades Advisory Committee</b> (Meeting Minutes)	#####	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing, Conference Room F. (Please note: This is a special

# MIOSHA Advisory Committees and Public Hearings

COMMITTEE	DATE	TIME	LOCATION
CS Part 6 Personal Protective Equipment Advisory Committee (Meeting Minutes)	01/11/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
CS Part 6 Personal Protective Equipment Advisory Committee (Meeting Minutes)	02/08/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
CS Part 6 Personal Protective Equipment Advisory Committee (Agenda)	03/08/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
CS Part 6 Personal Protective Equipment Advisory Committee	07/12/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
CS Part 6 Personal Protective Equipment Advisory Committee	09/12/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
GI Part 33 Personal Protective Equipment Advisory Committee (Meeting Minutes)	01/20/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
GI Part 33 Personal Protective Equipment Advisory Committee (Agenda)	03/10/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
GI Part 33 Personal Protective Equipment Advisory Committee	06/23/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
GI Part 33 Personal Protective Equipment Advisory Committee	08/18/11		CANCELLED
OH Part 433 Personal Protective Equipment Advisory Committee (Meeting Minutes)	01/25/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
OH Part 433 Personal Protective Equipment Advisory Committee (Agenda)	03/22/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
OH Part 433 Personal Protective Equipment Advisory Committee	04/26/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
OH Part 433 Personal Protective Equipment Advisory Committee	08/23/11		CANCELLED
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	01/19/11	1:00 pm	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	02/04/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	03/28/11	9:30 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room G)
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	04/28/11	9:00 am	MIOSHA Management & Technical Services Division Laboratory, 7707 Rickle Street, Lansing
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	05/17/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)
GI Part 74 Fire Fighting Advisory Committee (Agenda) (Meeting Minutes)	06/21/11	9:00 am	State Secondary Complex, General Office Building, 7150 Harris Drive, Lansing (Conference Room B)

## **GENERAL INDUSTRY SAFETY STANDARDS COMMISSION MISSION STATEMENT AND MEMBER PROFILES**

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*The mission of the General Industry Safety Standards Commission is to provide the leadership and vision necessary to ensure a safe work environment for the people of Michigan.*

*The Commission involves employees and employers in the development of safety standards as it endeavors to continually examine and improve those standards for purpose, clarity, applicability, enforceability and cost effectiveness.*

*Our vision is to be a recognized leader in safety for the work environment for the people of Michigan by incorporating the changing needs of new technologies and methods into our standards.*

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**DWAYNE F. BETCHER** of Allegan, is a library assistant at the Herrick District Library. Mr. Betcher was appointed to represent public employees for a term expiring March 26, 2013. Mr. Betcher was first appointed in April, 2006.

**WILLIAM L. BORCH JR.** of Bay City, is an up-state business agent with the Ironworkers Local Union No. 25. Mr. Borch was appointed to represent labor for a term expiring March 26, 2014. Mr. Borch was first appointed in April, 2006.

**ANDREW J. MOSSER** of Portland, is the business agent for the International Brotherhood of Electrical Workers (IBEW) Local 665 in Lansing. Mr. Mosser was appointed to represent labor for a term expiring March 26, 2014. Mr. Mosser was first appointed in September, 2011.

**JEFFREY RADJEWSKI**, of Chesterfield Township, is business and finance manager of International Brotherhood of Electrical Workers Local Union 58. Mr. Radjewski was appointed to represent labor for a term expiring March 26, 2012. Mr. Radjewski was first appointed in December, 2005.

**AJ HALE**, of Marshall, is an EHS engineer with Tenneco Automotive. Mr. Hale was appointed to represent the employers in the private sector for a term ending March 26, 2012. Mr. Hale was first appointed in August, 2007.

**JENNIFER EWING** of Traverse City, is director of human resources for AlcoTec Wire Corporation. Ms. Ewing was appointed to represent the management of principal industries with 200 or fewer employees for a term expiring March 26, 2014. Ms. Ewing was first appointed in August, 2008.

**THOMAS PYTLIK**, of Bay City, is a safety manager with Kelly Services. Mr. Pytlik was reappointed to represent the management of principal industries for a term ending March 26, 2013. Mr. Pytlik was first appointed in March, 2001.

**JEFFREY A. SPENCER** of Davisburg, is a building inspector and ordinance enforcement official for the city of Auburn Hills. Mr. Spencer was appointed to represent management of public employers for a term ending March 26, 2014. Mr. Spencer was first appointed in September, 2011.

**REGINA MEO** of Lake Orion, is an attorney for Regina L. Meo, P.C. and is experienced in workers compensation cases. Ms. Meo was appointed to represent the general public for a term ending March 26, 2013. Ms. Meo was appointed in February, 2008.

# **CONSTRUCTION SAFETY STANDARDS COMMISSION**

## **MISSION STATEMENT AND MEMBER PROFILES**

*The Mission Of The Construction Safety Standards Commission Is To Provide The Leadership And Vision Necessary To Ensure A Safe Work Environment For The Michigan Construction Community.*

*The Commission Involves Employees And Employers In The Development Of Safety Standards As It Endeavors To Continually Examine And Improve Those Standards For Purpose, Clarity, Applicability, Enforceability, And Cost Effectiveness.*

*It Is Our Vision That We Become A National Leader In Safety For Industry By Incorporating The Changing Needs Of New Technologies And Methods Into Our Standards.*

**Timothy Bedenis**, of Plymouth, is currently the chief geotechnical engineer and a vice president of Soil and Materials Engineering Inc. Mr. Bedenis is appointed to represent management in the construction industry for a term ending March 18, 2014.

**Valerie J. Bradley**, of Flushing, vice president of administration and safety director for Dee Cramer, Inc. Ms. Bradley is appointed to represent management and persons actively engaged in construction operations on the management level for a term expiring March 18, 2013.

**Mark Bulthuis**, of Grand Rapids, project efficiency specialist with Parkway Electric & Communications, LLC. Mr. Bulthuis is appointed to represent individuals actively engaged in construction operations on the employee level for a term expiring March 18, 2014.

**Tapan Datta**, Ph.D., PE, of Detroit, professor with the Department of Civil & Environmental Engineering at Wayne State University, is appointed to represent individuals actively engaged in construction operations on the employee level and public employees of this state for a term expiring March 18, 2012.

**Kathleen S. Dobson**, of Kimball, safety director for Alberici Constructors, is appointed to represent members actively engaged in construction operations at the management level for a term expiring March 18, 2012.

**Joe Gillespie**, of Newaygo, is a safety technician for the City of Grand Rapids. Mr. Gillespie was appointed to represent management in the construction industry for a term ending March 18, 2011.

**Don R. Hiltunen**, of Hancock, retired real estate broker, is appointed to represent the general public for a term expiring March 18, 2013.

**Gregg A. Newsom**, of Milford, retired training director of Operating Engineers Local 324 Journeyman & Apprentice Training Fund, Inc. Mr. Newsom was appointed to represent labor and persons actively engaged in construction operations on the employee level for a term expiring March 18, 2011.

**Jack P. O'Donnell**, of Taylor, is president and business agent with Ironworkers Local 25. Mr. O'Donnell was appointed to represent individuals actively engaged in construction operations on the employee level for a term expiring March 18, 2013.

## **OCCUPATIONAL HEALTH STANDARDS COMMISSION MEMBER PROFILES**

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**JIM B. CIANCIOLO** of Woodhaven, president of Teamsters Local Union No. 243. Mr. Cianciolo represents labor. He was appointed in October, 2006. His term expires August 5, 2012.

**ANDREW J. COMAI** of Ann Arbor, industrial hygienist for International Union, UAW. Mr. Comai represents labor. He was appointed in October 2006. His term expires August 5, 2013.

**DAVID L. GLYNN**, of Decatur, is human resources manager at Special-Lite, Inc. Mr. Glynn represents management of principle industries in the state with 200 or less employees and was appointed to the commission in 2005. His term expires August 5, 2014.

**RICARDO L. LONGORIA**, of Saginaw, is a training and safety officer with the Saginaw Fire Department. Mr. Longoria represents labor and public employees of the state and was appointed to the commission in 2005. His term expires August 5, 2012.

**JOHN E. MILLER**, of Kawkawlin, is a Bay County Sheriff. Sheriff Miller represents public employers of the state and was appointed to the commission in 2005. His term expires August 5, 2012.

**BRIAN POTTER**, of Woodland, is the owner and president of Architectural Metals Inc. Mr. Potter represents employers with 200 or less employees and was appointed to the commission in 2011. His term expires August 5, 2014.

**CAROLINE ROSS** of Saint Louis, is the Safety Director for UAW Local 6000 and was appointed on September 3, 2010. Her term expires August 5, 2013.

**SATYAM R. TALATI** of Lake Orion, is an attorney with MGM Consulting Group, LLC. Mr. Talati represents the general public and was appointed to the commission in 2005. His term expires August 5, 2013.

**RONALD J. TORBERT**, of West Bloomfield, is vice president and general council of Barton Malow Company. Mr. Torbert represents management of principle industries in the state and was appointed to the commission in 2005. His term expires August 5, 2011.

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November, 2011



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

ANDREW S. LEVIN  
ACTING DIRECTOR

**MIOSHA General Industry Safety Standard  
GI Part 74 Fire Fighting Advisory Committee Meeting**

**February 4, 2011, 9:30 A.M.**  
**State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, 48909**  
**General Office Building, Conference Room G**

**MEETING MINUTES**

**ADVISORY COMMITTEE MEMBERS PRESENT:**

Brian Blomstrom.....Greenville Dept. of Public Safety  
Michael Brink.....City of Madison Heights Fire Dept.  
Richard Clark.....Grand Rapids Fire Dept. & Michigan Professional Fire Fighters Union  
Daniel Dawe.....West Bloomfield Fire Dept. & Michigan Professional Fire Fighters Union  
Patrick DuVall.....Plainfield Fire Dept.  
Joseph Grutza.....MI DELEG Bureau of Fire Services  
Eva Hatt.....Retired MIOSHA General Industry Safety & Health Manager  
Richard Mahaney.....Mahaney Loss Prevention Services

**ADVISORY COMMITTEE MEMBERS ABSENT:**

Keith Crawford.....City of Flint Fire Dept.  
James Rose.....Michigan State Firemen's Association

**MIOSHA STAFF PRESENT:**

Daniel Dykstra.....Standards Section  
Debbie Merryfield.....Standards Section  
Robin Spaulding.....General Industry Safety & Health Division

**VISITORS:**

A.J. Hale.....General Industry Safety Standards Commission

**Agenda Item #1. Call to Order**

The February 4, 2011 GI Part 74 Fire Fighting advisory committee meeting was called to order by Co-Chair Daniel Dawe. Mr. Dawe welcomed everyone. A quorum of advisory committee members was present.

**Agenda Item #2 Advisory Committee Logistics**

Mr. Daniel Dykstra, MIOSHA Standards Section Manager, informed the advisory committee that Mr. Frederick Cowper, Meridian Township Fire Chief and representative from the Michigan Association of Fire Chiefs (MAFC) resigned from the committee. The MAFC is concerned that they no longer have representation on the Part 74 advisory committee, and have requested that another member of MAFC take Mr. Cowper's seat. Mr. Dykstra explained to the MAFC that even though a committee member may represent a particular organization, the seat belongs to the individual and not the organization, and in accordance with Act 154, it is the duty of the

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Commissions to approve/seal advisory committee members, not MIOSHA. Mr. Dykstra stated that the Part 74 advisory committee currently has equal representation from labor and management. A motion was made by Mr. Richard Mahaney and seconded by Mr. Michael Brink that the minutes should reflect that the Part 74 advisory committee supports the MAFC being part of future advisory committee meetings as guests, and will accept their input in that fashion, until such time as they approach the General Industry Safety Standards Commission to have a new representative appointed. **MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #3 Approval of January 19, 2011 Minutes**

A motion was made by Mr. Brian Blomstrom and seconded by Mr. Richard Clark to accept the minutes as written. **MOTION CARRIED UNANIMOUSLY.**

**Agenda Item #4 Review of Rules 7404 and 7405**

- Rule 7404 – Definitions; O to V.
  - 1) “Operator’s control station” – No change.
  - 2) “Personal alert safety systems (PASS)” – No change.
  - 3) “Platform control station” – No change.
  - 4) “Positive-pressure breathing apparatus” – No change.
  - 5) “Protective ensemble” – The committee discussed adding eye and hearing protection to the elements of a protective ensemble, or removing all reference to specific elements of a protective ensemble. A motion was made by Mr. Patrick DuVall and seconded by Mr. Mahaney to delete the last sentence from the definition of protective ensemble. **MOTION CARRIED UNANIMOUSLY.**  
A motion was made by Mr. Mahaney and seconded by Mr. Blomstrom to change “fire fighters” to “fire service personnel” throughout the standard. **MOTION CARRIED UNANIMOUSLY.**  
A motion was made by Mr. Mahaney and seconded by Mr. Blomstrom to remove the word “certain” from the first sentence of this definition. **MOTION CARRIED UNANIMOUSLY.**  
(Justification – Definition now includes all PPE by removing specific elements of the protective ensemble.)
  - 6) “Roof ladder” – No change.
  - 7) “Stay poles” – No change.
  - 8) “Structural Fire Fighting” – No change.  
“Training” – A motion was made by Mr. DuVall and seconded by Mr. Clark to change “...instruction and hands-on practice...” to “...instruction and/or hands-on practice...”  
**MOTION CARRIED UNANIMOUSLY.**  
(Justification – Some training (i.e. terrorism response readiness) is only instructional and does not include hands-on training)
  - 9) “Volunteer” – No change.
- The committee discussed if other terms should be defined, such as “safeguards”, “rescue”, and “technical rescue.” It was determined that no further clarification of these terms was needed.
- Rule 7405 – Adoption by reference of standards.
  - 1) Tabled until the committee has reviewed the remainder of the standard.

**Agenda Item #5 – Next Meeting Date**

The next meeting was rescheduled for **Monday, March 28, 2011 beginning at 9:30 a.m.** and will be held at the **General Office Building in Conference Room G.**

**Mr. Dawe asked all members to review Rules 7411, 7412 and 7415 and bring comments and suggestions to the next meeting.**

**Agenda Item #6 Public Comment**

Commissioner A.J. Hale sat in on the advisory committee meeting. He explained that he was originally seated on the Part 74 advisory committee but had to resign because he was appointed to the General Industry Safety Standards Commission. He thanked the committee for their work and stated he hopes to attend future meetings.

**Agenda Item #7 Adjournment**

With no further business before the advisory committee, the meeting was adjourned.



STATE OF MICHIGAN

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

RICK SNYDER  
GOVERNOR

STEVEN H. HILFINGER  
DIRECTOR

**MIOSHA OCCUPATIONAL HEALTH STANDARDS  
PART 301/601 AIR CONTAMINANTS ADVISORY COMMITTEE MEETING**

**MEETING AGENDA for:  
March 18, 2011 – 9:00 a.m.**

**State Secondary Complex -- General Office Building  
7150 Harris Drive -- Conference Room A  
Lansing**

1. Call to Order by Co-Chair Timothy Kearney
2. Approval of Minutes from January 14, 2011
3. Discussion on:
  - a. Asphalt Fumes
  - b. Portland Cement
  - c. Grain Dust
  - d. Flour Dust
4. Schedule Next Meeting Date(s)
5. Public Comment
6. Adjournment

**MEETING MINUTES for:  
January 14, 2011**

**PRESENT:**

Peggy Brady, Brady & Associates  
John Cikalo, Dow Chemical Co.  
Kim Gasche, Ford Motor Co.  
Timothy Kearney, Argus-Hazco  
William Kilgore, General Motors  
Robert Lieckfield, Bureau Veritas North America  
Richard McLonis, Marsh USA Inc.

Dennis O'Brien  
Cynthia Ostrowski, CAO Consulting  
Ken Rosenman, Michigan State University  
Scott Shepherd, East Jordan Iron Works  
Jessie Simpson (Morning Session Only)  
William Watt, Wayne State University  
Bernard Hennessy, UAW (Morning Session Only)

**MIOSHA STAFF PRESENT:**

Dan Dykstra, Standards Section  
Jeff Silva, Construction Safety & Health Division  
Debbie Merryfield, Standards Section

Bart Pickelman, GI Safety & Health Division  
Ron Ray, Laboratory & Equipment Services

**ABSENT:**

Tom Kinman, UAW  
Dennis Emery, Consultant  
William Robert, BASF Corporation

Phillip Peterson, Fibertec IHS  
William Bishop, DT Energy  
Oscar Rodriguez-Franco, Board of Water & Light

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**MIOSHA OH Part 301/601 Air Contaminants Advisory Committee Meeting Minutes**  
**January 14, 2011**  
**Page 2 of 4**

**Call to Order**

The January 14, 2011 MIOSHA OH Part 301/601 Air Contaminants Advisory Committee meeting was called to order by Co-Chair Dennis O'Brien.

**Approval of Minutes from December 1, 2010 Meeting**

The Advisory Committee reviewed the section of the minutes regarding Manganese exposure limits. It was determined that the minutes did not clearly reflect that the last two motions regarding Manganese superseded the original two motions. [For further information on withdrawal of motions made at the December 1, 2010 meeting, see page 4.]

A motion was made by Cynthia Ostrowski and seconded by Scott Shepherd to accept the amended minutes of the December 1, 2010 Advisory Committee meeting. **MOTION CARRIED UNANIMOUSLY.**

**Update from Commission Meeting**

Mr. Tim Kearney advised the OHSC that the Advisory Committee for Air Contaminants has been meeting since June 2010 and that they have repeatedly run into discussions they could not settle and they would like to ask for advice from the OHSC. They have come across some ACGIH TLV changes that were more conservative than the Committee thought might be needed and some information is quite dated. Mr. Kearney reviewed some specific examples of levels with the OHSC. The Committee felt it would be more beneficial if they could use some of the previous TLV and not the current, however, the scope of their mission may not allow them to look at those numbers. Therefore, they would like the latitude to consider previous TLV's if there is good information indicating those amounts would be favorable. In addition they have been attempting to make recommendations so that construction and general industry standards would be equivalent when possible. Mr. Kearney discussed the problems the Committee has encountered and that they want latitude to adopt for construction equivalency. Therefore they are requesting the commission allow them these options if there is technical information to support their recommendation and further that when there are best practices available they be allowed to make use of that information as well.

At the Commission Meeting a motion was made by Commissioner Comai and seconded by Commissioner Torbert that the committee be allowed to consider a definition or specify an improved contaminant definition for example metalworking fluids (MWF) or to consider best practices that exist for exposure assessment. **MOTION CARRIED UNANIMOUSLY.**

At the Commission Meeting a motion was made by Commissioner Torbert and seconded by Commissioner Comai that the committee be allowed to recommend TLV's other than the current ACHIG TLV's recommended in 2009 and to look at different resources. **MOTION CARRIED with one no vote from Commissioner Glynn.**

Further discussion was held by the Commission with regard to the third item the Committee was requesting. A motion was made by Commissioner Miller and seconded by Commissioner Novak for the committee to recommend adding a "welding fume" limit for construction. A clarification was made that this would be adding an element to OH Part 601. Mr. Kearney advised that there was a compliance officer for CSHD at the Advisory Committee meetings who stated this would be helpful to them and that Dr. Ken Rosenman who is on this Advisory Committee as a technical advisor had prioritized adding welding fumes to OH Part 601 as one of his top concerns. After further discussion a roll call vote was taken. In favor were Commissioners Ross, Miller and Comai. Opposed were Commissioners Novak, Glynn and Torbert. **MOTION FAILED.** Ms. Marsha Parrott-Boyle recommended that the Advisory Committee should discuss recommending that the Commission consider convening a separate Advisory Committee to discuss this issue.

**Discussion on Toluene**

The Advisory Committee revisited the exposure limits for Toluene since the OHSC is allowing the committee to consider an ACGIH TLV other than those recommended in 2009.

A motion was made by Cynthia Ostrowski and seconded by Kim Gasche to adopt the 1996-2006 ACGIH TLV of 50 ppm for General Industry Toluene exposure limits as a TWA. **MOTION CARRIED.**

A motion was made by Cynthia Ostrowski and seconded by Jessie Simpson to adopt the same General Industry Toluene exposure limits of 50 ppm as a TWA and 150 ppm as a STEL for the Construction Toluene exposure limits. **MOTION CARRIED.**

#### **Discussion on Trichloroethylene**

The Advisory Committee reviewed the TLV Documentation and discussed the current General Industry Trichloroethylene exposure limits which are 50 ppm as a TWA and 200 ppm as a STEL. ACGIH current recommended exposure limits are 10 ppm as a TWA and 25 ppm STEL.

A motion was made by Cynthia Ostrowski and seconded by Bernard Hennessy to adopt the current ACGIH TLV to 10 ppm as a TWA for Trichloroethylene. **MOTION CARRIED.** (It was noted that two advisory committee members expressed opposition to this motion.)

A motion was made by Robert Lieckfield and seconded by Cynthia Ostrowski to lower the General Industry STEL for Trichloroethylene to 25 ppm. **MOTION CARRIED.** (It was noted that two advisory committee members expressed opposition to this motion.)

#### **Discussion on Cobalt Metal**

The Advisory Committee reviewed the TLV Documentation and discussed the current General Industry Cobalt exposure limit which is 0.05 mg/m<sup>3</sup> as a TWA. ACGIH current recommended exposure limit is 0.02 mg/m<sup>3</sup> TLV and the NIOSH REL in 0.05 mg/m<sup>3</sup>.

A motion was made by Peggy Brady and seconded by Jessie Simpson to lower the General Industry Cobalt exposure limit to the ACGIH recommended level of 0.02 mg/m<sup>3</sup> as a TWA. **MOTION CARRIED.**

A motion was made by Jessie Simpson and seconded by Kim Gasche to adopt the same Cobalt exposure limit of 0.02 mg/m<sup>3</sup> as a TWA for Construction. **MOTION CARRIED.**

#### **Discussion on Iron Oxide**

The Advisory Committee reviewed the TLV Documentation and discussed the current Construction Iron Oxide exposure limit which is 10 mg/m<sup>3</sup> (total) as a TWA. ACGIH current recommended exposure limit is 5 mg/m<sup>3</sup> (respirable) TLV and the NIOSH REL is 5 mg/m<sup>3</sup>.

A motion was made by Jessie Simpson and seconded by Cynthia Ostrowski to adopt the NIOSH REL for the Construction Iron Oxide exposure limit which is 5 mg/m<sup>3</sup> as a TWA. **MOTION CARRIED.**

Ken Rosenman proposed asking the OHSC to consider opening up the iron oxide General Industry PEL for review by the Advisory Committee. The Advisory Committee determined this is not necessary because General Industry has a PEL for welding fume.

*At this time Bernard Hennessy and Jessie Simpson left for the balance of the meeting. Bernard Hennessy designated Dennis O'Brien as his proxy voter. Jessie Simpson designated Jeff Silva as his proxy voter.*

**Rescinding of Action Taken at December 1, 2010 Meeting**

A motion was made by Cynthia Ostrowski and seconded by Scott Shepherd to rescind motions 3A through 3D from the December 1, 2010 meeting. **MOTION CARRIED.**

It was also discussed that in the final presentation to the OHSC the Committee would like to propose that, where feasible, general industry and construction exposure limits should be the same.

**Discussion on Metal Working Fluid**

A motion was made by Scott Shepherd and seconded by Peggy Brady reopen discussion on Metal Working Fluid (MWF). **MOTION CARRIED.**

Dr. Rosenman stated MWF is a leading cause in work-related asthma. According to MIOSHA occupational disease reporting data, many cases have come from machining and stamping operations.

Advisory committee discussed the financial impact a 0.5 mg/m<sup>3</sup> exposure limit for MWF would have on manufacturing businesses. Dennis O'Brien stated that engineering controls are already in place in most businesses. John Cikalo asked if engineering controls were already in place, why is exposure to MWF still a problem? Kim Gasche stated that brand new equipment at Ford Motor Co. is still approaching 0.5 mg/m<sup>3</sup> and that it would not be feasible to expect smaller businesses to adhere to an exposure limit of 0.5 mg/m<sup>3</sup>.

A motion was made by Peggy Brady and seconded by Jeff Silva via proxy vote for Jessie Simpson to adopt the NIOSH REL of 0.5 mg/m<sup>3</sup> extractable fraction using NIOSH method 5524 or equivalent. In favor were Jeff Silva via proxy vote for Jessie Simpson and Dennis O'Brien via proxy vote for Bernard Hennessy. Opposed were Kim Gasche, Cynthia Ostrowski, and William Kilgore. Scott Shepherd, John Cikalo, and Peggy Brady abstained. **MOTION FAILED.**

A motion was made by Cynthia Ostrowski and seconded by Robert Lieckfield to ask the OHSC to consider creating a separate standard for metal working fluids. **MOTION CARRIED.**

**Upcoming Meeting Dates**

The Wednesday, February 2, 2011 MIOSHA OH Part 301/601 Air Contaminants Advisory Committee meeting was cancelled due to scheduling conflicts with several committee members.

The Wednesday, March 7, 2011 MIOSHA OH Part 301/601 Air Contaminants Advisory Committee meeting was **rescheduled for Friday, March 18, 2011 from 9:00 am to noon** in Conference Room A of the General Office Building.

**Adjournment**

With no further business before the Advisory Committee, the meeting was adjourned.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

ANDREW S. LEVIN  
ACTING DIRECTOR

**MIOSHA Construction Safety Standard  
Part 22 Signs, Signals, Tags, and Barricades  
Advisory Committee Meeting**

**February 23, 2011, 9:30 A.M.  
State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, 48909  
General Office Building, Conference Room B**

**MEETING MINUTES**

**ADVISORY COMMITTEE MEMBERS PRESENT:**

Patrick Brown	Michigan Infrastructure and Transportation Association
Jim Gaus	Michigan Department of Transportation
Andy Schirk	Retired from International Union of Elevator Constructors Local 85

**MIOSHA STAFF PRESENT:**

Daniel Dykstra	Standards Section
Debbie Merryfield	Standards Section
John Stewart	Construction Safety and Health Division

**VISITORS:**

Jim Shea	P.K. Contracting
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**Call to Order, Welcome, and Introductions**

The February 23, 2011 Construction Safety Part 22 Signs, Signals, Tags, and Barricades advisory committee meeting was called to order by MIOSHA Standards Analyst Debbie Merryfield. Ms. Merryfield welcomed everyone. All committee members introduced themselves.

**Committee Logistics**

MIOSHA Standards Program Manager Daniel Dykstra reviewed the following:

- a. Guidelines for Advisory Committee Function
- b. Code of Conduct
- c. Conflict of Interest Policy
- d. Travel Expense Vouchers
- e. Rule Promulgation Process

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Ms. Merryfield explained that the advisory committee was only convening to determine if the 2011 edition of the Michigan Manual on Uniform Traffic Control Devices (MMUTCD) should be adopted into Construction Safety Part 22 to replace the reference to the 2005 edition of the MMUTCD.

**Review of Proposed 2011 MMUTCD & Adoption into CS Part 22**

All members of the advisory committee reviewed the document titled "Future MMUTCD Proposed Changes" and discussed how any changes may impact Construction Safety Part 22. The committee determined that none of the proposed changes to the MMUTCD would affect MIOSHA's ability to reference the MMUTCD in Construction Safety Part 22, however, Mr. Jim Gaus proposed several changes that would make language in Part 22 more consistent with regulations in the MMUTCD.

The committee proposed removing metric measurements from R 408.42222(4) and R 408.42222(6). The MMUTCD does not use metric measurements. For the diagram in R 408.42222(6) see MDOT R1.1a appropriate dimensions in inches, provided by Mr. Gaus.

The committee proposed removing the reference to the MMUTCD in R 408.42222(7) for lighting and reference MIOSHA Construction Safety Part 1, General Rules, R 408.40133(1) instead. The MMUTCD directs readers to see MIOSHA Construction Safety Part 1, General Rules for illumination requirements.

The committee determined that R 408.42222(8) was out of date and no longer reflected the appropriate apparel requirements. The committee proposed the following new language for R 408.42222(8):

*An employer shall provide, and a traffic regulator shall wear, high-visibility safety apparel that meets the Performance Class 2 or 3 requirements of the ANSI/ISEA 107-2004 publication entitled "High-Visibility Safety Apparel and Headwear" (see Section 1A.11), or equivalent revisions, and labeled as meeting the ANSI 107-2004 standard performance for Class 2 or 3 risk exposure. See Appendix.*

The committee proposed removing R 408.42222(11) entirely. This subrule is not enforceable.

The committee determined that the Appendix to Part 22 was out of date and no longer reflected the appropriate apparel requirements. Class 1 vests and jackets are no longer accepted per R 408.42222(8).

**Public Comment**

Visitor Mr. Jim Shea and Advisory Committee Member Mr. Patrick Brown would like to propose additional changes to Part 22, specifically regarding R 408.42225. Mr. Brown will draft a letter to the Construction Safety Standards Commission (CSSC) to ask that the charge for the Part 22 advisory committee be broadened to address specific concerns regarding the placement of traffic control devices from a moving vehicle.



Mr. Shea expressed concern for the safety of workers due to the delayed timeline for moving Part 22 through the regulatory process. Mr. Dykstra explained that we cannot move forward with the adoption of the new edition of the MMUTCD until the new edition becomes effective, which may not be until December 2011. Mr. Dykstra suggested that Mr. Shea continue with the process to obtain a variance until the CSSC agrees to broadening the charge of the Part 22 Advisory Committee.

**Other Business**

Mr. Gaus asked Mr. John Stewart if he finds many untrained traffic regulators while conducting MIOSHA enforcement inspections. Mr. Stewart responded that training is hard to determine unless an inspector observes a traffic regulator violating MIOSHA or MDOT regulations. Mr. Gaus proposed that the committee review the MDOT "Traffic Regulator's Instruction Manual" at a future meeting and determine if the manual should be referenced in Part 22.

**Adjournment**

With no further business before the advisory committee, the meeting was adjourned.



STATE OF MICHIGAN

RICK SNYDER  
GOVERNOR

DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

ANDREW S. LEVIN  
ACTING DIRECTOR

## **MIOSHA CS Part 6 Personal Protective Equipment Advisory Committee Meeting**

**January 11, 2011 at 9:30 a.m.**

**State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, 48909  
General Office Building, Conference Room B**

### **MEETING MINUTES**

#### **ADVISORY COMMITTEE MEMBERS PRESENT:**

Randall Reynolds.....	Consumers Energy .....	Co-Chairperson
Andre Schirk .....	Retired, International Union of Elevator Constructors Local 85	
Donald Kissel.....	Detroit Carpentry Joint Apprenticeship and Training School	
Douglas Peters .....	Christman Contractors	
Gary Boyer .....	Cincinnati Insurance Company	
Irene Armock .....	Retired, Lansing Board of Water & Light	
James Gaus .....	Michigan Department of Transportation	
Kim Dennison .....	Michigan Laborers' Training and Apprenticeship Institute	
Mark Wertz .....	Boilermakers Local 169	
Michael Martin .....	John E. Green Company	
Ned Niemi.....	Davenport Masonry, Inc.	
William Nelson.....	Retired, International Union of Operating Engineers Local 324	

#### **ADVISORY COMMITTEE MEMBERS ABSENT:**

Peter Anderson.....	Associated General Contractors of Michigan....	Co-Chairperson
Dennis Moomey.....	Bouma Corporation	
Joseph Forgue.....	Construction Association of Michigan	
Patrick Buck.....	Ironworkers Local Union 25	
William House.....	Utility Line Construction	

#### **MIOSHA STAFF PRESENT:**

Daniel Dykstra .....	Standards Section, Program Manager
Baldemar Reyes .....	Construction Safety and Health Division, Supervisor
Dena Hendon .....	Standards Section, Analyst

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**Agenda Item #1 Call to Order**

**Co-Chairperson Randall Reynolds**

The January 11, 2011 CS Part 6 Personal Protective Equipment advisory committee meeting was called to order by Co-Chairperson Randall Reynolds. He welcomed everyone to the meeting. A quorum of advisory committee members was present.

**Agenda Item #2 Rule Promulgation Activity**

**Daniel Dykstra**

Mr. Dykstra informed the advisory committee that all current and pending rule promulgation activities are being scrutinized closely for impact on employers, employees and businesses. The new administration is requesting additional justification, and information regarding potential impact and/or costs, for all amendments. Therefore, MIOSHA will be seeking additional assistance from the advisory committee members and/or commission members to provide the necessary documentation before any rules get forwarded beyond our office.

**Agenda Item #3 Review of December 14, 2010 Minutes**

**Co-Chairperson Reynolds**

The advisory committee approved the minutes as written.

**Agenda Item #4 Begin Review of CS Part 6 Personal Protective Equipment**

Co-Chairperson Reynolds facilitated the review of CS Part 6 Draft #3. The advisory committee members agreed that Rule 618 Personal Protective Hazard Assessment and Rule 619 Personal Protective Equipment Training are 2 of the most important changes to this rule and although they have conditionally approved most of the language, they want to have the option to review at a later meeting.

- a. Rule 618 (1) through (3) ..... The advisory committee approved the amended language for section (1) and (2), conditionally. Section (3) needs more discussion and a definition for feasible reviewed.
- b. Rule 619 (1) through (4) ..... The advisory committee approved the amended language for section (1), (2), and (3), conditionally. Section (4) needs more review.
- c. Rule 622 (1) ..... Put 'or risk of injury exists' in draft and changed numbers and order of listing
- d. Rule 622 (7) ..... Changed 'provided' to 'required'
- e. Rule 622a ..... Reviewed and approved as amended.

Next Meeting: begin review of CS Part 6 Personal Protective Equipment from the beginning with Rule 601 Scope.

**Agenda Item #5 Next Meeting Date**

CS-6..... February 8, 2011..... Room B

**Agenda Item #6 Public Comment**

None

**Agenda Item #7 Adjournment**

With no further business before the advisory committee, the meeting was adjourned.



RICK SNYDER  
GOVERNOR

STATE OF MICHIGAN  
DEPARTMENT OF ENERGY, LABOR & ECONOMIC GROWTH  
Michigan Occupational Safety & Health Administration  
(MIOSHA)

ANDREW S. LEVIN  
ACTING DIRECTOR

## **GI Part 33 Personal Protective Equipment Advisory Committee Meeting**

**January 20, 2011 At 9:30 A.M.**

**State Secondary Complex, 7150 Harris Drive, Lansing, Michigan, 48909  
General Office Building, Conference Room G**

### **MEETING MINUTES**

#### **ADVISORY COMMITTEE MEMBERS PRESENT:**

Terry Monahan .....Co-Chairperson - Michigan State University  
Keith Sarns .....Co-Chairperson - International Brotherhood of Electrical Workers 876 (IBEW)  
Cathy White .....Dow Chemical  
Ernie Fryer .....Boride Engineered Abrasives  
Forest Ervay .....Kelly Engineering  
Heather Kubiak .....City of Wyoming Michigan  
John Brennan .....JB Safety Consultant LLC  
Larry Shields .....Lansing Board of Water & Light

#### **ADVISORY COMMITTEE MEMBERS ABSENT:**

Daren McLaughlin .....Huron Consultants  
Rick Gokenbach .....Federal Reserve Bank of Chicago  
Teri Lee Dyke .....Michigan Department of Community Health - Bureau of Epidemiology

#### **MIOSHA STAFF PRESENT:**

Daniel Dykstra, .....Standards Section  
Dena Hendon .....Standards Section  
Fred Kirkland .....Consultation, Education, and Training Division  
Mike Brodzik .....General Industry Safety & Health Division (Safety)

#### **Agenda Item #1 Call to Order.**

**Co-chairperson Terry Monahan**

The January 20, 2011 GI Part 33 Personal Protective Equipment advisory committee meeting was called to order by Co-chairperson Terry Monahan. He welcomed everyone to the meeting. A quorum of advisory committee members were present.

#### **Agenda Item #2 Rule Promulgation Activity**

**Daniel Dykstra**

Mr. Dykstra informed the advisory committee that all current and pending rule promulgation activities are being scrutinized closely for impact on employers, employees and businesses. The new administration is requesting additional justification, and information regarding potential impact and/or costs, for all amendments. Therefore, MIOSHA will be seeking additional assistance from the advisory committee members and/or commission members to provide the necessary documentation before any rules get forwarded beyond our office.

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**Agenda Item #3 Review of November 3, 2010 Minutes**

**Co-Chairperson Terry Monahan**

The advisory committee approved the minutes as written.

**Agenda Item #4 Continue Review of GI-33 Draft #3**

**Co-Chairperson Terry Monahan**

Co-Chairperson Terry Monahan began the review of GI-33 Draft #3. The advisory committee reviewed the entire draft and approved changes to the following sections:

- ❖ R 408.13301 Scope
- ❖ R 408.13306 Definitions; S to W
- ❖ R 408.13308 Hazard assessment and equipment selection
- ❖ R 408.13310 Employer's and employee's responsibilities
- ❖ R 408.13311 Face and eye protection; consensus standards
  - Terry Monahan compared ANSI Z87.1, 2010 vs. 2003; he reported that the 2010 version is written in a different style to be shorter but the provisions are the same.
  - John Brennan compared ANSI Z87.1, 2010 vs. 2003; he reported that industry is following the 2010 version.
    - Mr. Monahan and Mr. Brennan recommended to the advisory committee to adopt the ANSI Z87.1 - 2010 edition standard.

So approved.

- ❖ R 408.13312 Use of face and eye protection
- ❖ Table 1 - Eye and face protector selection
- ❖ Figure 1 - Eye and face protective devices
- ❖ R 408.13313 to R 408.13367
- ❖ R 408.13388 Electrical Protective equipment use and storage.
- ❖ R 408.13390 General requirements; safety belts, safety harnesses, lifelines, and lanyards generally
- ❖ R 408.13394 Body protection.
- ❖ R 408.13396 Working over or near water

The following sections need additional review

- ❖ R 408.13372 Head protection; consensus standards
  - Cathy White is reviewing ANSI Z89.1 2003 vs 2009
- ❖ R 408.13375 Protective helmets
  - Dena Hendon will re-write rule 1 to reflect ANSI classifications
- ❖ R 408.13387 Electrical protective equipment; design; certification - Table 3
  - Dena Hendon will mail and/or email the 9 ASTM standards to members to review and report back to advisory committee
- ❖ R 408.13395 High-visibility safety apparel
  - Dena Hendon will re-write to reflect MMUTCD Section 6E.02 High-Visibility Safety Apparel

Ms. Hendon will prepare the final draft with all of the advisory committee changes. The draft will be mailed to all advisory committee members for final review and comments. The February meeting will be cancelled to allow more time to prepare the documents and do review. The advisory committee members will reconvene at the March meeting for the final review and comments and to assist with justifications for the changes.

**Agenda Item #5 Next Meeting Date**

The next meeting scheduled for February 17, 2011 has been cancelled, therefore the next meeting will be on March 10, 2011.

**Agenda Item #6 Public Comment**

None

**Agenda Item #7 Adjournment**

With no further business before the advisory committee, the meeting was adjourned.

# THE REPUBLICAN REINVENTION HURTS MICHIGAN CHILDREN HURTS MICHIGAN FAMILIES HURTS MICHIGAN WORKERS HURTS MICHIGAN RETIREES

## STOP THE ATTACKS - VOTE NOV 6

Only two short years ago Michigan heard LANSING POLITICIANS tell a story about reinventing Michigan. They promised new and better jobs, more support for education and opportunity for all.

In reality, the REINVENTION has turned Michigan into a meaner, more regressive state turning its back on working families by restricting collective bargaining, cutting unemployment insurance, destroying workers compensation, cutting health care and pension benefits. Seniors pensions are now subject to taxation, while \$1.9 Billion dollars are handed out to wealthy corporations and CEOs. Our most vulnerable, the working poor, have lost their Earned Income Tax Credit and the middle class have lost child tax credits and other benefits. Children have lost to education budget cuts and laws written to benefit special interests that give away education funds to out-of-state cyber-school corporations. THIS IS NOT THE REINVENTION YOU WERE PROMISED! IT IS TIME TO END THE REPUBLICAN REINVENTION.

### What they have done ... the "real" reinvention

#### March 2011

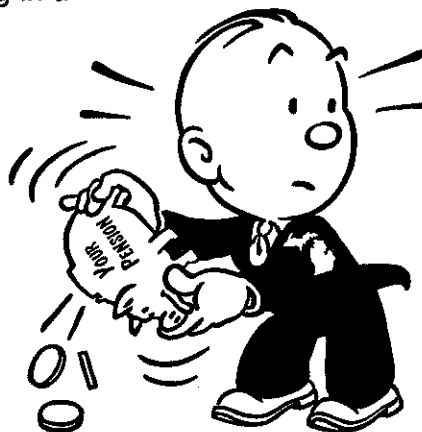
- Repeal Item-Pricing laws that provide consumer protection, especially for our seniors.
- Pass Emergency Financial Manager laws giving governor-appointed officials rights to void contracts for Police Officers, Firefighters, Teachers, Nurses, Road Workers and many others who provide your public services. They can sell public property, privatize public services, change your school curriculum and all this without your say.

#### April 2011

- Slashed unemployment benefits from 26 weeks to 20 weeks resulting in a huge cut for jobless workers in Michigan.

#### May 2011

- Gave corporations and CEOs a \$1.9 Billion dollar tax break without a promise of a single job creation, while creating a new tax on retiree pension checks, eliminating the Earned Income Tax Credit for the working poor, and cutting other middle class tax credits like child tax credits and homestead property tax credit.
- Freeze wages and pass costs to education workers if their contract expires and haven't ratified a new contract, thus giving employers a perverse incentive to stall negotiations to force a settlement on a bad contract.



## June 2011

- Remove collective bargaining rights for Police, Firefighters or other workers whose employers consolidate or form an authority.

## August 2011

- Require public workers to pay more for their health care regardless of the pay cuts and other concessions they took to keep health care.
- Prohibit collective bargaining agreements in Project Labor Agreements, opening the door for contractors to hire cheap, unskilled labor on public projects. Increasing risk of shoddy, unsafe work.

## December 2011

- Unemployment benefits hit for a second time. This time adding new restrictions making it more difficult to collect, and easier to lose, your unemployment insurance.
- Make sweeping changes that destroy the fabric of Workers Compensation. Uses "imaginary wages" to cut benefits.
- Require State workers to pay more for pensions while cutting benefits and eliminating retiree health care.
- Make it illegal for State to provide health care benefits to domestic partners.

## February 2012

- Make it illegal for certain workers to join a labor union, denying them collective bargaining rights.

## March 2012

- Make it illegal for school districts to collect union dues or agency fees through payroll deduction.

## April 2012

- Make it illegal for childcare or home healthcare workers to form or join a union, denying them collective bargaining rights.

## May 2012

- Pass legislation to give away full foundation allowance of K-12 Education dollars to private, for-profit, out-of-state cyber-school operators who don't have buildings, buses, athletics, arts, or programs for learning challenged students.

## June 2012

- Prohibit collective bargaining agreements in Project Labor Agreements again (The court found the law unconstitutional so they reworded it and passed it again (see August 2011)).

## September 2012

- Signed by the governor on the first day of school. Legislation that eliminates retirement health care benefits for new school employees and greatly increase the retirement costs for current employees. The average pension paid to a retired school employee in 2010-11 was \$21,189.

